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Book Review. Law in the Soviet Society (Wayne R. LaFave, Ed.)

Jurij Fedynskyj

Indiana University School of Law - Bloomington

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Bloomington

stresses the startling amount of academic philosophizing despite the fact that Marxism-Leninism is a state doctrine. He calls attention to the development of "declassified doctrines" about which there is "practically unlimited freedom of discussion." Within the context of a rough periodization (1922-30, 1931-47, 1947-56, since 1956) he discusses dialectics, science and ideology, materialism, axiology, and revisionism. His comments are stimulating, often controversial. Rightly he stresses the affinity of Marxist philosophy to a religious creed, but even so hesitates to make predictions as to the future evolution. At least the continuing process of ritualization (routinization) of ideology might, it would seem, have been predicted. Daniel Bell's "The 'End of Ideology' in the Soviet Union?" should more properly have been titled with an exclamation rather than a question mark. He sets forth his familiar views with some interesting modifications which he has further developed in a more recent article in the *Slavic Review* (December 1965). The "end of ideology" is now reduced to an "abatement of the dynamism of a creed," and so he concludes that "ideology in the Soviet Union, and even more so in the East European countries, has been losing its full coercive and persuasive power and, to this extent, the 'end of ideology' in the Communist world may well be in sight." But does this not merely mean that the role or function has been changing and that ideology has become "internalized" and "ritualized"—or routinized, as M. Weber would say? When broad consensus is based on it, can we speak of it as "ended"? Bell's analysis is also lacking in precision, because of his tendency to equate ideology with an "articulated belief system," when actually it is programmatic and refers to action-oriented ideas. The recent speech of Brezhnev at the anniversary celebration clearly demonstrates this more exact meaning of ideology.

There follow three papers by economists, which, for lack of space and competence, this reviewer will leave to others to evaluate. They are keen and stimulating. A good set of notes and references completes this useful contribution to an important facet of totalitarianism.

Harvard University

CARL J. FRIEDRICH

Law in the Soviet Society. Edited by Wayne R. LaFave. Urbana: University of Illinois Press, 1965. Pages xiv, 297. \$4.75, cloth; \$1.95, paper.

This is a republication of a symposium on Soviet law, which first appeared in the University of Illinois *Law Forum* (No. 1, 1964), with a foreword by the editor. It makes the seven essays composing the volume under review accessible to a larger number of readers, including non-lawyers. Doing research in Soviet law is fashionable at this time. The outcome is often uneven. In this case, however, the authors and the editor have done an outstanding job. The selection of topics, dealing largely with the everyday life of Soviet citizens; the full utilization of original Russian sources; and the skillful presentation leave little to be desired.

The volume opens with a critical review of the development of Soviet legal studies outside the Soviet Union. Demitri B. Shimkin points out accurately how interest in Soviet law was influenced in Western countries by the attitude toward the Soviet Union and, particularly, by U.S.-USSR relations. The listing of selected Western writings is remarkably comprehensive. A cursory comparison with the recent bibliography published by the Harvard Law School Library, *Writings on Soviet Law and Soviet International Law*, compiled and edited by William E. Butler (Cambridge, Mass., 1960), shows some items cited in Shimkin's article that are missing in

the bibliography. The reviewer discovered one error only: Starosolski is not a former Soviet citizen, as stated by the author (page 6).

Dennis O'Connor's essay gives a rare insight into new trends in settling disputes in Soviet society by the use of informal sanctions in conjunction with court decisions and by local group participation in decision making. This heavily documented essay reveals also the role the comrades' courts play under the supervision of the Procuracy.

Not strictly in the legal field is the article by Bernard A. Ramundo, "They Answer (to) Pravda." Basing his study on excerpts from Russian newspapers, the author finds that newspaper articles and letters to the editor play some part as a means of public control despite the total censorship prevailing under the one-party system.

Dietrich A. Loeber's "Plan and Contract Performance in Soviet Law" shows how the rules of administrative law are to be supplemented by civil law contracts to produce planned results. Although the number of contracts between state enterprises concluded in the Soviet Union every year, given by the author as 250 million, seems too high to this reviewer, the need for this kind of contract is demonstrated convincingly by the author. Past experience evidenced poor results in cases in which state enterprises worked under direct orders of superior agencies without being bound by contractual obligations to each other.

The article on the new law of torts by Whitmore Gray presents lucidly, using actual cases, the new principles of tort liability based on fault, the strict liability of car owners, the interrelation between social security compensation and tort compensation, lack of civil liability insurance in the Soviet Union, and lack of recovery for pain and suffering. Only a few months after Gray's article was published, republican civil codes were enacted. Their more elaborate provisions on the law of torts could not be cited in the article.

"Law and the Distribution of Consumer Goods in the Soviet Union," by Zigurds L. Zile, a subject on the borderline between law and economics, is perhaps the most interesting in the symposium, since it deals with the most vital issues in the life of Soviet citizens. Soviet authorities try to maintain a balance between concern for the consumer and prevention of a revival of "capitalistic instincts." Concentrating mainly on post-Stalin developments, the author writes at length on state and co-operative trade, as well as on legitimate and illegitimate private trade. Such innovations as mail-order selling, installment credit selling, and automobile rental are described in detail.

A synthesizing article, "The Soviet Pattern Spreads Abroad," by the old master of Soviet law John N. Hazard, concludes the book. The legal systems of other socialist countries do not follow exactly the Soviet legal pattern. There are significant deviations; for example, the Chinese People's Republic does not codify its laws.

Indiana University

JURIJ FEDYNSKYJ

Macht und Recht im kommunistischen Herrschaftssystem. Edited by Dietrich Frenze and Alexander Uschakow. Cologne: Verlag Wissenschaft und Politik [1965?]. Pages 335. DM 76.

The fifteen contributors to this volume have written it to honor their professor, Boris Meissner, on the occasion of his fiftieth birthday. *Festschriften* of this kind sometimes afford the scholarly community an opportunity to show what it has learned from the man it is honoring. But the present work indicates that it might